

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF EDMUNDS

FIFTH JUDICIAL CIRCUIT

* * * * *

JAMES GEIER

Plaintiff,

-vs-

CIV 11

COMPLAINT

STANDARD INSURANCE COMPANY

Defendant.

* * * * *

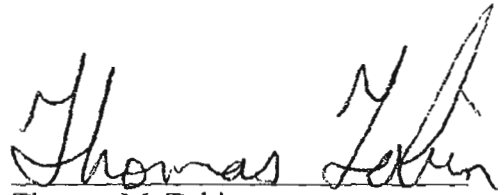
Plaintiff, for his cause of action against the Defendant states and alleges as follows:

1. Plaintiff is resident of Bowdle, Edmunds County, South Dakota.
2. Defendant is an insurance company authorized and licensed to do business in the State of South Dakota.
3. Plaintiff is the natural father of Michael James Geier, deceased. At the time of his death, Michael James Geier had a life insurance policy with the Defendant and the Plaintiff was named the beneficiary on the policy,
4. Michael J. Geier died on July 19, 2009, as a result of an accident while operating an all terrain vehicle on his farm. At the time of his death, a life insurance policy Group Policy Number 641797-A was in full force and effect in which Michael J. Geier, deceased, was the insured and the Plaintiff was a beneficiary under the policy.
5. Plaintiff has made a claim pursuant to the policy and the Defendant has refused to pay the same. Plaintiff is entitled to full benefits under the policy as a named beneficiary at the time of decedent's death.
6. Plaintiff has filed a proof of claim and made a demand payment for the amount due; however, the Defendant refuses to pay.
7. Defendant is in breach of contract pursuant to the policy of which the Plaintiff is a third-party beneficiary under said contract and being named the beneficiary under the life insurance policy.

WHEREFORE, the Plaintiff prays the Court to enter judgment against the Defendant in an amount to be determined by the full benefits of the policy plus pre-judgment interest and all

tax, costs and attorney's fees and for such other and further relief that the Court deems just and equitable in the premises.

Dated this _____ day of May, 2011.

A handwritten signature in black ink, appearing to read "Thomas Tobin", written over a horizontal line.

Thomas M. Tobin
Attorney for Plaintiff
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Plaintiff demands trial by jury